**STATUTES AMENDMENT (WATER RESOURCES) BILL 1990**

**Legislative Assembly, 22 November 1990, page 2200**

Second reading

**The Hon. S.M. LENEHAN (Minister of Water Resources)** obtained leave and introduced a Bill for an Act to amend the Irrigation Act 1930; the Local Government Act 1934; the Pollution of Waters by Oil and Noxious Substances Act 1987; the Public and Environmental Health Act 1987; and the Waterworks Act 1932. Read a first time.

The Hon. S.M. LENEHAN: I move: That this Bill be now read a second time.

I seek leave to have the explanation of the Bill inserted in Hansard without my reading it. Leave granted.

Explanation of Bill It amends five Acts of Parliament as a consequence of the introduction of a new Water Resources Act earlier this year. All of these Acts impact on water and it has therefore been necessary to assess the overlap between them. The following amendments are considered appropriate:

1. Irrigation Act 1930—This amendment makes the taking of water from or the discharge of water into the Murray River or any body of water flowing through or adjacent to an irrigation area subject to the Water Resources Act 1990. This complements the provisions of the new Act.

2. Local Government Act 1934—An adm inistrative amendment to make reference to the new Water Resources Act 1990 in lieu of the repealed Act in relation to the protection and management of watercourses by local government.

3. Pollution of Waters by Oil and Noxious Substances Act 1987—The definition of ‘State waters’ in this Act refers to waters within the limits of the State including inland waters, for the purpose of controlling the pollution of coastal waters. The new Water Resources Act 1990 is the vehicle for the control of pollution of inland waters. This amendment provides for a new definition of waters for the purpose of the pollution of waters by Oil and Noxious Substances Act, limiting it to waters that are subject to the ebb and flow of the tide hence restricting control to coastal waters.

4. Public and Environmental Health Act 1987—Sections 21 and 22 of this Act deal with the pollution of water and currently overlap with Part V of the Water Resources Act 1990 covering the protection of water resources. Under the latter Act authorisation may be granted for the release of certain wastes under specific terms and conditions. The release of this authorised waste however constitutes an offence under the Public and Environmental Health Act. The amendment to section 21 resolves this untenable situation by exempting such authorised waste.

Section 22 prohibits or restricts the taking or use of polluted water. Pollution under the Public and Environmental Health Act means rendering a supply unfit for human consumption. A lot of water distributed throughout the State including irrigation supplies, does not meet the standards for human consumption and because of its particular use this is not a requirement. The amendment to section 22 limits the section to waters distributed for human consumption.

5. Waterworks Act 1932—These amendments delete all the provisions relating to ‘Watersheds and Zones’ for the controlling of water pollution. These are now covered in the Water Resources Act 1990 by section 46 which enables regulations to be made to prohibit, restrict or regulate activities in any part of the State.

I commend these amendments to the House. They will enhance the effective administration and proper management of the water resources of the State.

Clauses 1 and 2 are formal.

Clauses 3 to 7 make amendments to various Acts for the reasons that have already been given.

The Hon. D.C. WOTTON secured the adjournment of the debate.